

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

IRBY CAPITAL, LLC,)	
)	
Plaintiff,)	
)	
v.)	CIV. ACT. NO. 1:24-cv-259-TFM-N
)	
THE BURLINGTON INSURANCE CO.,)	
)	
Defendant.)	

NOTICE OF ACKNOWLEDGMENT

Pending before the Court is the *Joint Stipulation for Dismissal* (Doc. 23, filed 4/25/25) in which the parties jointly agree to dismiss all claims without prejudice. The Rules of Civil Procedure permit a plaintiff to voluntarily dismiss the action without an order of the court “by filing a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment” or “a stipulation signed by all parties who have appeared.” FED. R. CIV. P. 41(a)(1)(A).

Here, the joint stipulation is signed by both sides. Consequently, by operation of Fed. R. Civ. P. 41(a)(1)(A)(ii), this action has been dismissed in accordance with the joint notice. Therefore, this case is dismissed without prejudice with each party to bear their own attorneys’ fees and costs.

The Clerk of the Court is **DIRECTED** to close this case.

DONE and **ORDERED** this 2nd day of May, 2025.

/s/ Terry F. Moorner
TERRY F. MOORER
UNITED STATES DISTRICT JUDGE